

ARNOLD JABLON ZONING COMMISSIONER

September 27, 1983

Newton A. Williams, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

RE: Petition for Special Exception N/S of Slade Ave., 758' W of Reisterstown Rd. 3rd Election District
130 Slade Avenue - Petitioner NO. 80-169-X (Item No. 106)

Dear Mr. Williams:

It has been brought to my attention that you are requesting a change in the configuration of the building in the above referenced case.

A careful perusal of the case file and my notes as well as the plan prepared by Paul Lee Engineering, Inc., revised February 26, 1980, and further revised in red and green on September 27, 1983, indicates that the above referenced plan appears to be within the spirit and intent of my Order of April 23, 1980. No parking shall be permitted between the building and Slade Avenue.

I will entertain any written comments submitted on or before October 15, 1983 by Mr. Albert Lettre, an interested party at the original hearing. In addition, minor revisions to drives and parking arrangements may be suggested by zoning technicians. The restriction on the original order requiring the approval of a plan, including landscaping and screening approval is still in effect.

JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

cc: Mr. Albert Lettre 206 Slade Avenue Pikesville, Maryland 21208

80-11

01/13/8

J. EARLE PLUMHOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN
G. SCOTT BARHIGHT
ROBERT L. HANLEY, JR.

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

204 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204

September 12, 1983

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Re: 124, 126, and 128 Slade Avenue - Revisions for Proposed One-Story Office Building by 124 Slade Associates

Dear Commissioner Jung:

As a result of our meeting with you, Commissioner Jablon, Mr. Dyer, and Mr. Lee on August 23, 1983, Mr. Lee prepared a marked-up plat from the plat which accompanied the petition for the special exception case and which was last revised on February 26, 1980. We are hand delivering this plat to you for your review and consideration.

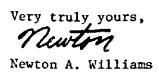
Essentially, the plans for the down-sized office building will eliminate the originally planned 22,000 square-foot second floor and reduce the overall floor area from 42,000 square feet to 22,000 square feet. The basic building coverage will be kept at 100 feet by 220 feet, counting the formerly proposed second floor overhang, but allowing a 20-foot rear extension toward the rear of the rear of the armory garages.

As the marked-up plat by Mr. Lee reflects, our clients propose to use plant screening on the west side of the tract against the open 130 Slade apartment parking area, although 130 Slade does not screen its own parking.

Due to the new three-story office building being built at 122 Slade Avenue, almost on our clients' easternmost property line, no screening will be needed and none should be provided. In other words, screening will be provided by the developers of the 122 Slade professional center.

Mr. Lee has shown a landscaped area to include a shallow grass storm water management area while retaining the front driveway for better internal circulation, but with no parking in front.

I will be more than happy to discuss this plat with you further or to answer any additional questions which you might have. I greatly appreciate your consideration of this matter.



NAW:SJN:jka
Enclosure
cc: Mr. John Colvin (w/encl.)
Mr. Morton Gorn (w/encl.)
Mr. Paul Lee, P.E.

3-2279,10

NOLAN, PLUMHOFF & WILLIAMS

J. EARLE PLUMHOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, HR
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR
STEPHEN J. NOLAN
G. SCOTT BARHIGHT

CHARTERED

204 WEST PENNSYLVANIA AVENUE

TOWSON, MARYLAND 2120 4

September 29, 1983



10/3/32

Honorable Jean M. H. Jung Deputy Zonin Commissioner of Baltimore County County Office Building Towson, Maryland 21204

Re: Petition for Special Exception N/S of Slade Ave., 758' W. of Reisterstown Rd. 3rd Election District
130 Slade Avenue - Petitioner NO. 80-169-X (Item No. 106)

Dear Mrs. Jung:

Thank you for your letter of September 27, 1983, in reply to our letter of September 12.

During our office meeting with you, you will recall that Mr. Lee marked his marked-up, revised plat, September 27, 1983, and that plat is the one which your letter approves.

We appreciate your consideration of this matter, and we look forward to moving forward with the project as soon as after October 15 as possible, and, of course, that date is the deadline for Mr. Albert Lettre of 206 Slade on Avenue, a protestant in the original case, to object to this smaller building an improved site.

Of course, as you note in the last sentence of your letter, the approval of the landscaping and screening plan is still in effect, and we will pursue that matter and other matters with Mr. Bober and his staff in current planning.

In the meanwhile, we have diared our file for Monday, October 17, since of course the 15th falls on a Saturday.

Both our clients and this office appreciate your consideration in approving this improved building, smaller in overall square footage, with less on site parking, and more overall landscaping.

Sincerely yours,

Newton

Newton A. Williams

NAW:11b cc: Morton Gorn, John Colvin, Paul Lee TO: Mrs. Jung September 29, 1983

P.S. to all carbon copy addresses:

Gentlemen:

Of course, Mrs. Jung's original order of April 23, 1980, allowed utilization within five (5) years, and I am glad to see that we are well ahead of that deadline.

As we all know, in the spring of 1982, Baltimore County adopted bill 5482, the new Development Regulations, and technically and legally the construction of this building and the improvement of the site constitutes "Development" under the bill.

However, there are provisions in <u>section 22-43</u> of the bill for <u>waivers</u> of the <u>County Review Group (CRG) processing</u>, and Steve Nolan and our office will contend in filing for a waiver, that we come under <u>sub-section (3)</u>, relating to amendments to an approved plan or plat which do not materially alter the proposed development, since in fact this plan will have a smaller building only one story high, more overall landscaping in all probability, and less parking.

We ay also be able to bring ourselves under <u>sub-section</u> (8) relating to a <u>commercial development of land involving only one building for a single use</u>, in that we will contend that although the property is zoned for offices, that the single use users are all offices, although current planning may contend that multiple tenants are not a single use, although we believe that office use constitutes a single use. Of course, we are not in a commercial zone, but <u>offices</u> are in the <u>nature of a commercial venture</u>.

Finally, we will file under <u>sub-section (13)</u> relating to any proposed development, which the director of planning finds would cause <u>unnecessary</u> hardship.

We feel that there is a <u>significant chance of obtaining a CRG waiver</u> for this property, in view of the fact the special exception has already been granted, and in view of the fact that Dcputy Zoning Commissioner Jung, has looked at the revised plan of September 27, 1983 and approved it.

Please note that Mrs. Jung has allowed the 20' driveway on Paul's plat in front of the building, and if necessary we could give that up in baryaining with Mr. Bober.

Also, of course, we have photgraphs in our file of the surroundings, including Pikesville Armory Garages to the north and the rear, the highrise apartments at 130 Slade to the west; the new building at 122 Slade which will provide landscaping along its western boundary in place of landscaping on your eastern boundary, as well as the fact that we have a plumbing company and a dental office across the street, and all of these uses will be

looking at modern well-landscaped site, with a one story building instead of a two story building. Finally, the several lots to the northeast on Slade Avenue are to be displaced by Milford Mill Road, and these rented homes will be removed, and this also noted on Paul's plat.

The procedure under the Development Regulations, bill 5682, calls for a decision on such waivers by the director of planning, and of course Mr. Bober, the chief of the current planning division makes a strong recommendation for or against it, and then the planning board must approve such waiver, and if it does nothing the waiver stands.

We will prepare an appropriate waiver form, and we will need to file with it several copies of Paul's revised plan as dated September 27, 1983, approved by Mrs. Jung, and we would ask Paul to have another five copies made from this micro-filmed document.

We would like to file this waiver with Mr. Ogle who is filling in for Mrs. Carrell, in current planning, early in the week beginning Monday, October 3, and we will follow up in this matter and keep everyone informed. As we all know a CRG would involve posting the property, and could delay the project for months, and give neighborhood residents or other office owners in the area a second chance to object, and to either defeat or at least stall this important project.

With best regards to all.

Sincerely,

newton

Newton A. Williams

NAW:11b

TO: Mrs. Jung

September 29, 1983

### BAT IMORE COUNTY, MARY IND

### INTER-OFFICE CORRESPONDENCE

то	Mr. W. E. Hammond Zoning Commissioner	Date February 12, 1980
FROM	John D. Seyffert, Director Office of Planning and Zoning	· · · · · · · · · · · · · · · · · · ·

Petition for Special Exception North side of Slade Avenue, 758 feet West of Reistenstown Road Petitioner- 130 Slade Avenue Associates Partnership.

Third District

Petition No. 80-169-X Item 106

HEARING: Thursday, February 28, 1980 (2:15P.M.)

Office use would be appropriate here; however, this office is concerned with the size of the building and packing area. It is this offices opinion that were the building and parking area reduced to provide approximately 25% open space, the proposed would be more in keeping with the character of the area.

JDS:JGH:ab

PETITION	MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
Descriptions checked and outline plotted on map	date	by	date	Ьу	date	- Бу	date	by	date	by
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Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: TOCA 7: Previous case: 171-75		- <i>x</i>	•	Chang	ed Pla e in ou	tline	or des	cripti		Yes No

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Denied						in the confidence of the state
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Petitioner's Attorney J. J.	word)	Reviewed	by	June (	-	

\*This is not to be interpreted as acceptance of the Petition for assignment of a

# CERTIFICATE OF PUBLICATION

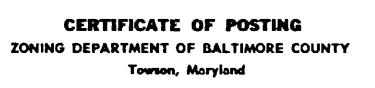
ZONING: Petition for Special Ex- ception LOCATION: North side of Slade	CERTIFICATE OF PUBLICATION
Avenue, 758 feet West of Reisters- town Road  DATE & TIME: Thursday, Febru- ary 28, 1980 at 2:15 P.M. PUBLIC HEARING: Room 106,	TOWSON, MD., Fobruary 7
County Office Building, 111 W. Chesaptake Avenue, Towson,	, ,,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Maryland	THIS IS TO CERTIFY, that the annexed advertisement was
The Zoning Commissioner of Bal- timore County, by authority of the Zoning Act and Regulations of Ea- timore County, will hold a public	published in THE JEFFERSONIAN, a weekly newspaper printed
hearing: Petition for Special Exception for offices and an office building in a	and published in Towson, Baltimere County, Md., once in ceach
D.R. 16 some All that parcel of land in the Third District of Baltimore County	ofone time xxxxxxxxxxxxxxxx before the 28th
Beginning for the same at a point on the North side of Slade Avenue, said point being located westerly 758 feet ± from the center line of	day of February 1980, the XXX publication
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ing line as shown on Baltimore County Zoning Map NW 7 E, thence building on said coning line (3) N.	THE JEFFERSONIAN,
59 degrees 30 minutes E 269.50 feet- ±, thence leaving said soning line (4) S 30 degrees 30 minutes E 366.83 feet ± to the place of beginning.	THE JEFFERSONIAN,  Manager.
Containing 2.28 acres of land, more or less, and known as 124, 126	
and 128 Slade Avenue.  Heing the property of 130 Slade Avenue Associates Partnerships, as	Cost of Advertisement, \$
shown on plat plan filed with the Zoning Department Hearing Date: Thursday, Febru-	
ary 23, 1980 at 2:15 P.M.  Public Hearing: Room 106, County Office Bullding, 111 W. Chesa-	
peake Avenue, Towson, Md. 21204.  By Order Co.  WILLIAM HAMMOND,	
Zoning Con allisioner, of Baltimore County	
Feb. 7.	

PETITION FOR SPECIAL EXCEPTION 3rd DISTRICT

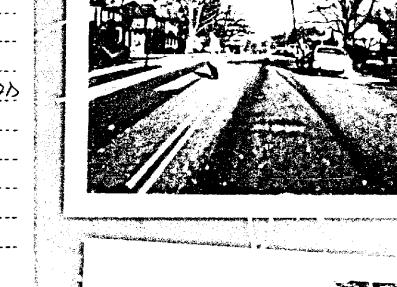
ZONING: Petition for Special Ex-

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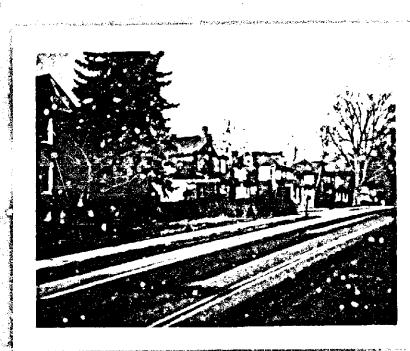
VALIDATION OR SIGNATURE OF CASHIER



District 3 rd. Date of Posting Feb. 8 1980
Date of Posting Feb. 8, 1980  Posted for: Petitioner: 130 SLADE AVENUE ASSOCIATES PARTNERSHIP  Location of property: N/S SLADE AVE., 758' W REISTERSTOWN RCA
Petitioner: 130 SLADE AVENUE ASSOCIATES PARTNERSHIP
Location of property: N/S SLADE AVE, 758' W REISTERSTOWN RCA
Location of Signs: FRONT 126 SLADE Ave.
Remarks:
Posted by Signature  Remarks:  Date of return: Fe3. 15 1980







80-169-X

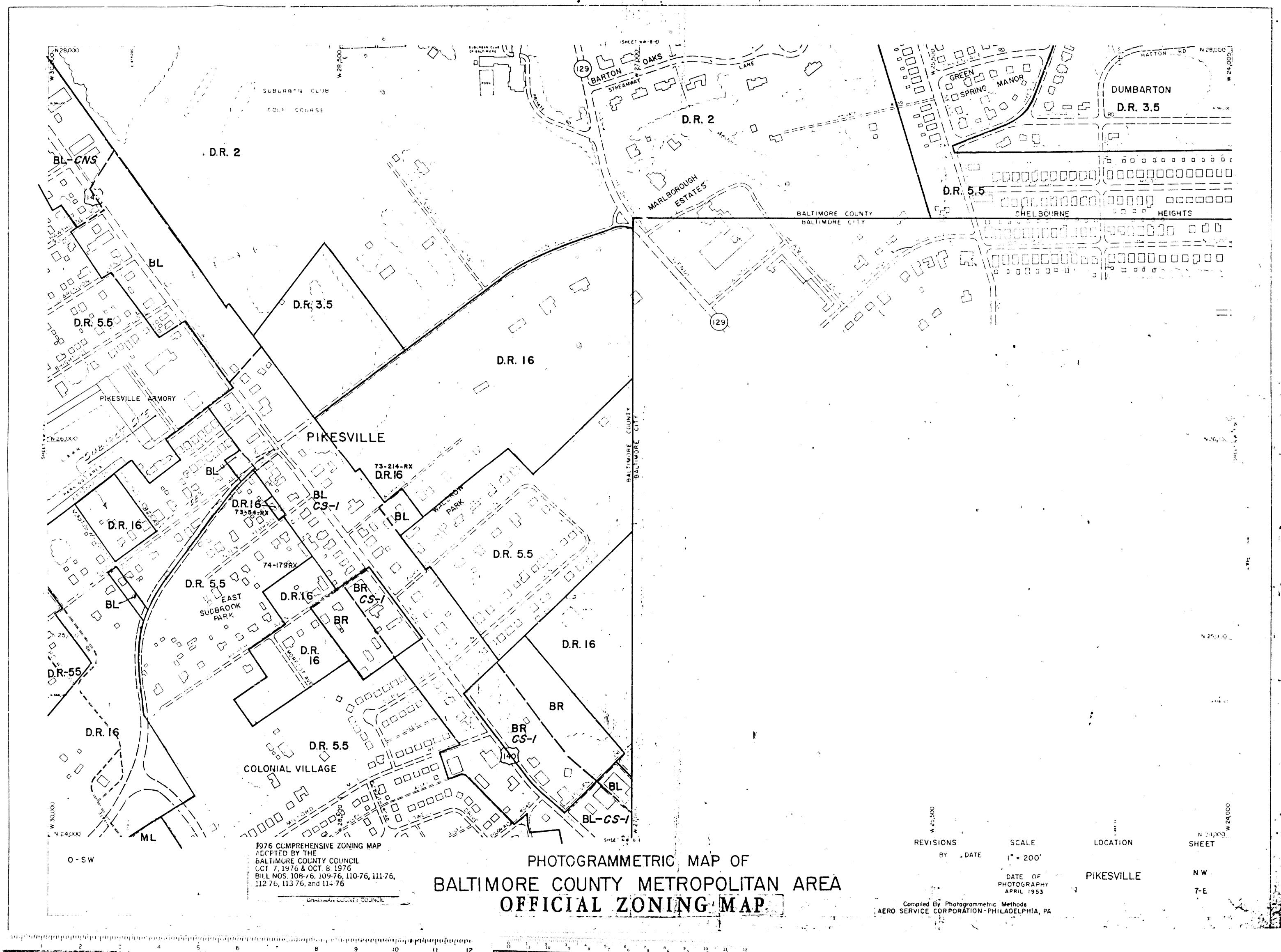
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3. Existing use of Property - Recidential Use" EX.ST. LOHING DE C Z 28 55 ( EXIST USE! RESIDENTIAL") 4. Proposed Zoning of Property = "Dails W Special Exception" PROG 2 5TY ENOT HEHRELE Arts OFF CE BLOG 5. Proposed use of Property - Office Use: 157 FL . 100' x 200 6 Off Street Parling Data . (Co,000 s.f.) A. Area Trop. Bing. (2 Hory) (22,000 s.t.) 15 Fl. 20,000 5 . £ 1/300 - 67 F.5. # 13.0 27 Fl. 62000 3 f & 1500 - 44 85 こくいもて TOTAL + 42,000 st WED. CFF CES TOTAL 2500 - 111 55 B. TOTAL FARKING SPACES SHOWN = 138 (9x 15') SHE. 8 24 18 . Exist. Utilities avaliable to site B. Property ocated in "Gwinns Fall Natershed" D. Sire surject to street lights 10 Sire surject to Sedimentation & Storm Mater CVERHAN II. See to sever to Jones Fails" -AREA)T 12. Developer to furnish landscape plan for Slade Ave. prior to obtaining any building permit. -A.Z ET L 57 3111 72 ... PEVISED PLANT FEB 2 6 '80 PM HAIR STYLET PLAT TO ACCOMPANY PETITION SPECIAL EXCEPTION 124,126 4 128 SLADE AVENUE

Fuel Lee Engineering: The (Historing strop, 30 Entre)
364 M. Binnylonnia Man. per Planning Dept.
Traine, Maryland 21264

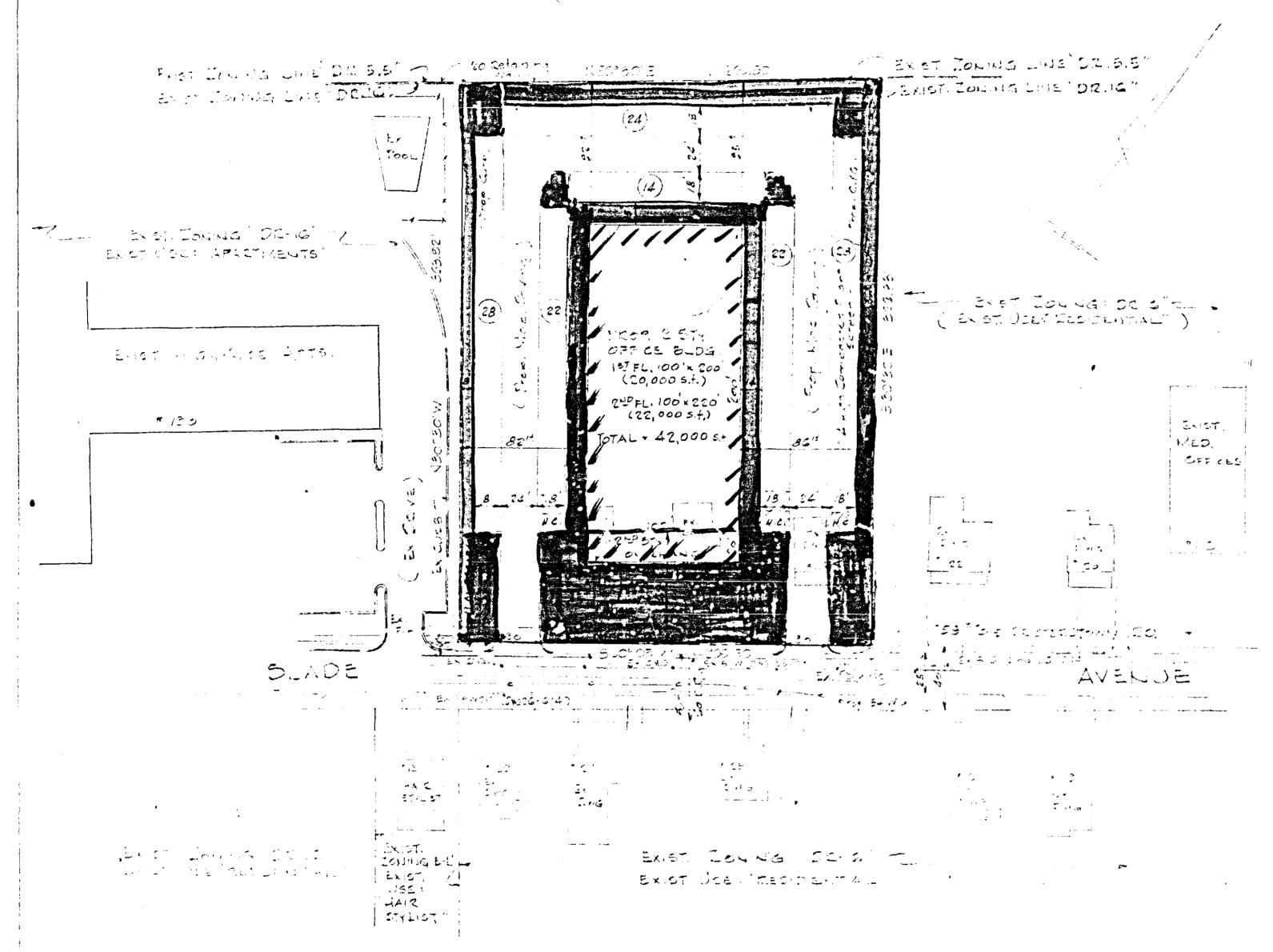
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August 55,070
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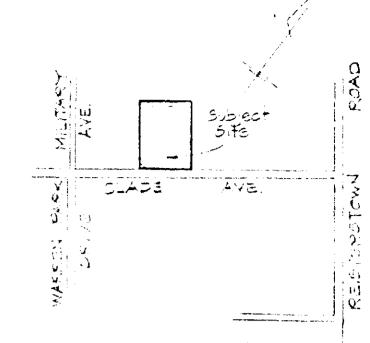
Election District \*3

Scale 11=50



EXIST. ZONING DZ. 5.5" ( EVET, USE - "PILLES /ILLE ACKOUR")





LOCATION PLAN 100 E 11500

GENERAL NOTES

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6 Off Street Parking Sprain

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12. Developer to furnish landscope rian for Slave Ave. Trian to entaining and bull along permit.

PLAT TO ACCOMPANY PETITION

SPECIAL EXCEPTION

124,126 4 128 SLADE AYENUE

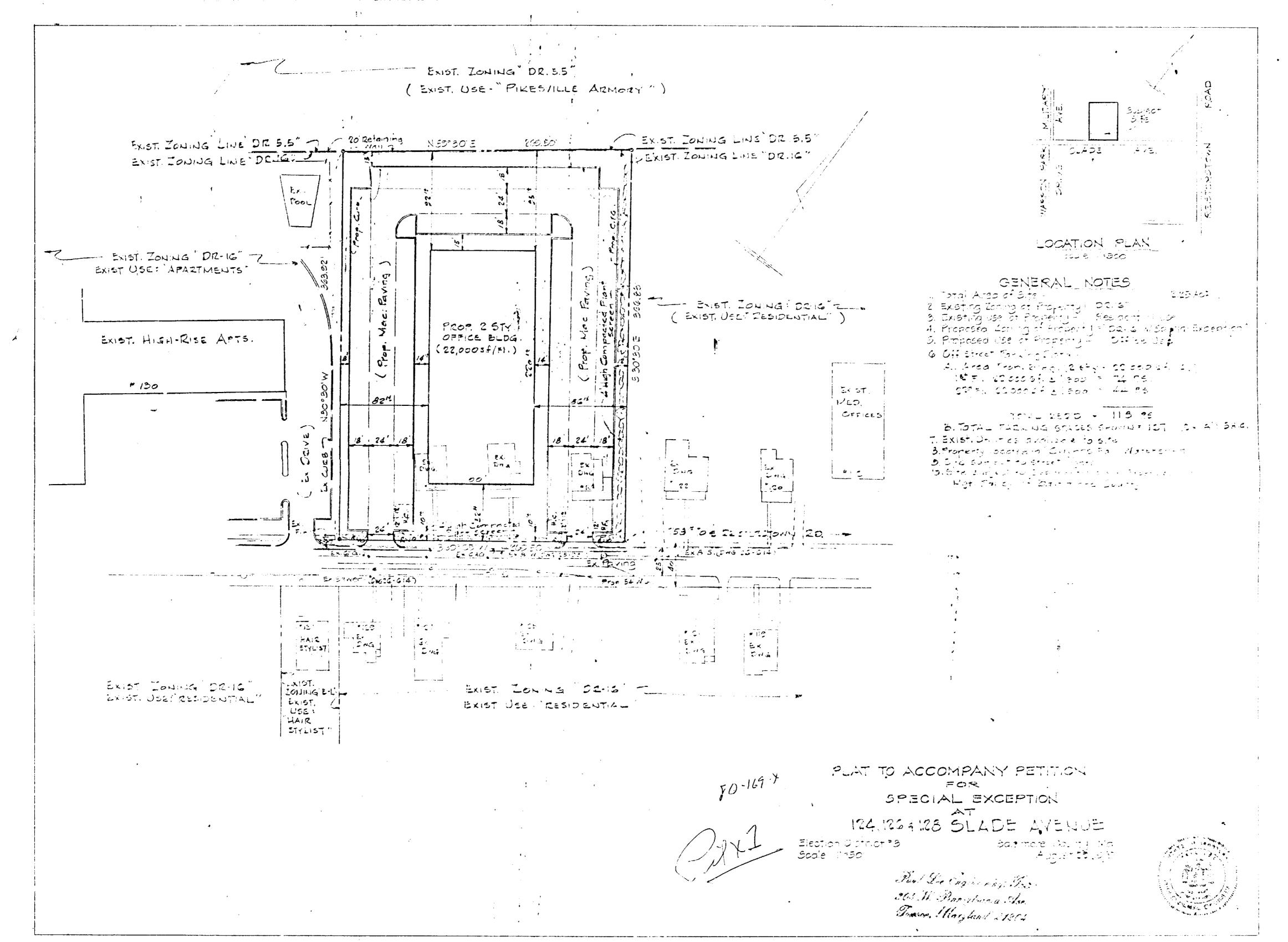
Election District \*3 Scale 1:350

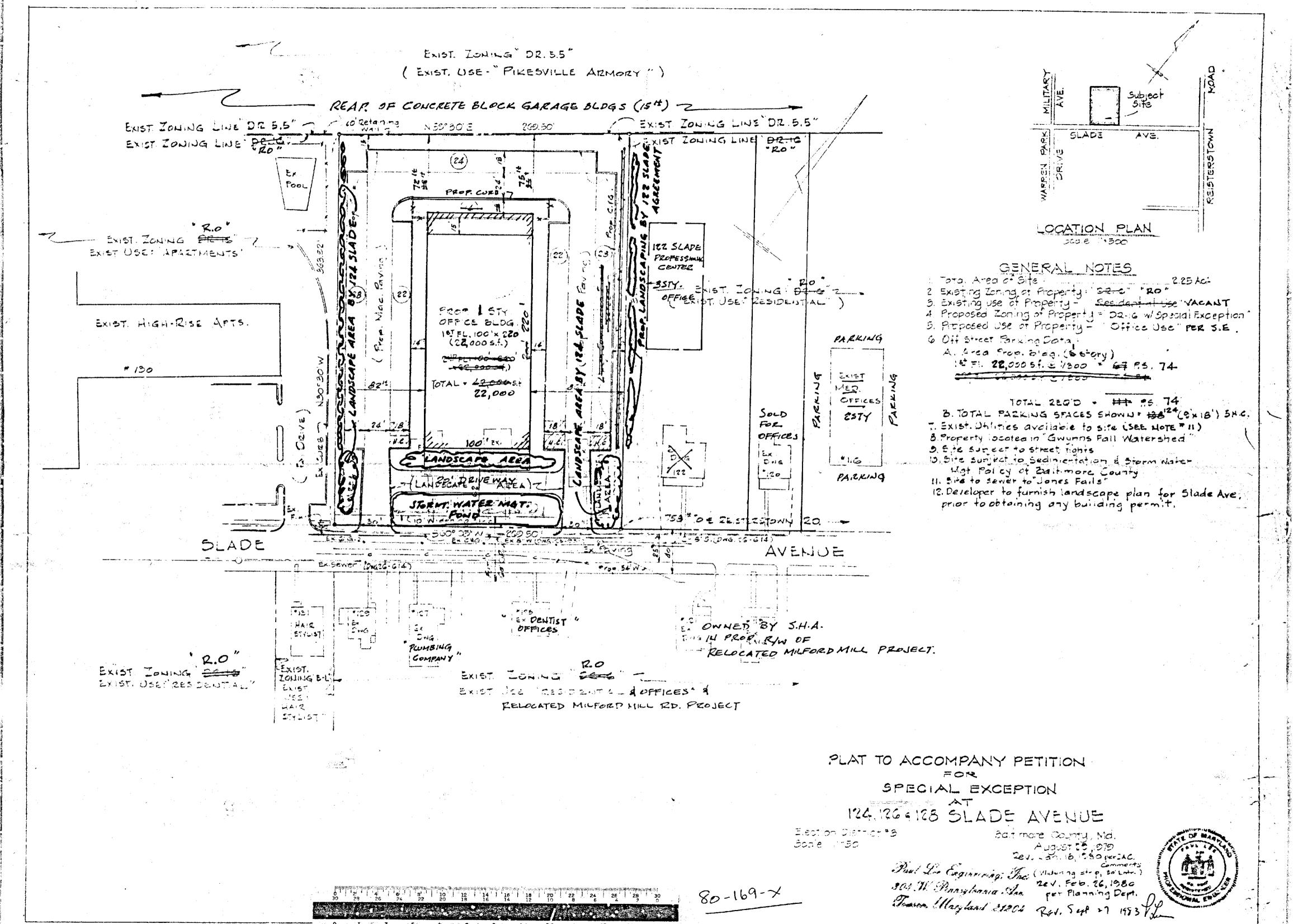
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80-169-7

79-047

TO THE ZGNING COMMISSIONER OF BALTIMORE COUNTY:

ASSOCIATES PARTNERSHIPS

J. or we, 130 SLADE AVENUE / legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant

to the Zoning Law of Baltimore County, from an\_\_\_\_N\_A\_\_\_\_

Letton STRICE 3 hearing: X BY KAT HN. L. Jay

Openitor Partner Logal Owner

GENERAL WILBERT SIROTA.

Pikesville, Maryland 21208

130 Rei

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for \_\_OFFICES\_AND\_AN\_OFFICE\_BUILDING-IN

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

130 SLADE ASSOCIATES PARTNERSHIP 12A SLADE ASSOCIATES Stamul Ist Amu G. GORN Contract purchaser Address\_130\_Slade\_Avenue\_\_\_\_\_ Addres Horizon House, Calvert at

James D. Nolan Protestant's A., rney

204 W. Pennsylvania Avenu Towson, Maryland 21204

dRDERED By The Zoning Commissioner of Baltimore County, this 18th day 197 80 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore \_\_\_P.\_M.

## IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, OR WE, 130 STATE AVILITY ASSOCIATING YEGAL OWNER OF THE PROPERTY SITUATED IN DALTIMORE COUNTY, THE PROPERTY OUTLINE OF WHICH IS DRAWN TO SCALE, COMPLETE WITH BEARINGS AND DISTANCES ON 200 FT. SCALE MAPS, WHICH ARE ATTACHED HERETO, HEREBY MAKE APPLICATION TO FILE FOR A SPECIAL 

\_\_\_\_office use\_\_\_\_\_

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS: GROSS SITE AREA \_ 2.26 A \_\_\_\_ DEED REF. \_1377-337,\_5292-272

BUILDING SIZE GROUND FLOOR 2201 x 1001 AREA 22,000 square feet

TOTAL HEIGHT \_\_ 20\_ feet, plus or minus FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = \_458\_ ----

REQUIRED NUMBER OF PARKING SPACES

GROUND FLOOR \_\_\_74\_\_\_\_ OTHER FLOORS \_44\_\_\_\_\_

AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES \_\_\_\_ 42,480 SQUARE FORT ( PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360 ) UTILITIES

WATER: PUBLIC PRIVATE, TYPE OF SYSTEM \_\_\_\_\_\_\_\_\_ SEWER: PUBLIC PRIVATE, TYPE OF SYSTEM .\_\_\_\_\_

I CERTIFY THAT THE ABOVED INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND 130 STATE ASSOCIATES PARENERSHIP 124 SLADE ASSOCIATES

ADDRESS Horizon House, Calvert at Chase

ADORESS\_130\_Slade\_Avenue\_\_\_\_\_ Nolan, Plumboff & Williams \_\_\_\_ Pikesville\_Md\_21208\_\_\_

204 W. Pennsylvania Ave., Towson, Md. 21204 (823-7800)

THE PLANNING BOARD HAS DETERMINED ON \_\_\_\_\_\_THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 22-15.1(F) OF THE BALTIMORE COUNTY CODE,

CHAIRMAN, BALTIMORE COUNTY

10CA NO.,\_\_\_\_SP

RE: PETITION FOR SPECIAL EXCEPTION

W of Reisterstown Rd., 3rd District

130 SLADE AVENUE ASSOCIATES

N/S of Slade Ave., 758'

PARTNERSHIP, Petitioners

Mr. Commissioner:

Peter Max Zimmerman

Deputy People's Counsel

Maryland 21202, Contract Purchaser.

authority.

: BEFORE THE ZONING COMMISSIONER

: Case No. 80-169-X

John W. Hessian, III

County Office Building

I HEREBY CERTIFY that on this 21st day of February, 1980, a copy of the aforegoing

Order was mailed to James D. Nolan, Esquire, Nolan, Plumhoff & Williams, 204 W.

Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioners; and Samuel

G. Gorn, Partner, 124 Slade Associates, Horizon House, Calvert At Chase, Baltimore,

Towson, Maryland 21204

People's Counsel for Baltimore County

:::::::

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524,1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify

me of any hearing date or dates which may be now or hereafter designated therefore.

and of the passage of any preliminary or final Order in connection therewith.

OF BALTIMORE COUNTY

SEP 21 '79 PM - of Planning & Zoning

\_\_\_\_\_\_

County Council. After citing and quoting from Victor, the Court, per Judge Maguire, held again that the Board had exceeded its

It would seem from these cases that, provided petitioners comply with the Special Exception Regulation of Section 502.1, that the County through the Office of Planning and Zoning, the Planning Director and the Zoning Commissioner, has no authority to impose the twenty-five (25) percent amenities open space requirement or reduce the size of the 44,000 square foot office building, since this open space requirement exceeds the applicable Zoning Regulations. The only possible argument the County, the Office of Planning and Zoning and the Planning Director would seem to have is under Section 502.1d. relating to: "Tend to overcrowd land and cause undue concentration of population", (BCZR, 1955). As far as overcrowding of land or undue concentration of population is concerned, this would seem to be a rather tenuous argument, particularly in view of the numerous office buildings of greater height surrounding the property in question, as well as the large Pikes-

Even if the argument is made that there is a law on the books requiring open space in the amount of 25%, such a requirement applies only to R.O. zoning under Bill 13-80 recently passed by the Council, whereas petitioner's land is zoned D.R. 16. There is no land zoned R.O. at the present time, much less this property.

ville Armory and Military Garage site adjoining this property.

Further, petitioner has stated that it would be able to comply with the requirement, but this would necessitate loss of approximately 24 parking spaces. In view of the location of the property, in the heart of Pikesville, where parking is a serious problem, and where the Pikesville Armory, adjacent to the property, has vast amounts of ground, it seems senseless to insist that the area requires green space more than it does more adequate parking.

PETITION FOR SPECIAL EXCEPTION, :

LAW OFFICES

LAW OFFICES

NOLAN, PLUMHOFF

SLADE AVENUE ASSOCIATES.

N/S SLADE AVENUE, 758' WEST OF REISTERSTOWN ROAD. PETITIONER FORMERLY 130 SLADE AVENUE ASSOCIATES - NOW 124

PEFORE THE ZONING COMMISSIONER

Case No. 80-169-X

BALTIMORE COUNTY

### MEMORANDUM OF LAW

124 Slade Avenue Associates, formerly 130 Slade Avenue Associates, by James D. Nolan and Nolan, Plumhoff & Williams, their attorneys, respectfully presents this Memorandum of Law for the consideration of the Zoning Commissioner.

. . . . . . . . . . . . . . . . .

ISSUE I: Whether the Baltimore County Planning Director can require a property owner, petitioner in a special exception case, to provide twenty-five (25%) percent amenity open space, when this is not a statutory requirement of the Baltimore County Code, the Baltimore County Zoning Regulations or any other body of laws.

ISSUE II: Whether the Order granting approval (when the evidence presented meets the burden of proof for a Special Exception for a forty-four thousand (44,000) square foot office building, as requested) may restrict the size of the building to provide additional open space not required by law, where the original site plans conform with the existing laws and Baltimore County Zoning Regulations.

Petitioner, 124 Slade Avenue Associates, request by their petition in this case a special exception for a forty-four thousand (44,000) square foot two-story office building, to be constructed on the site of 124, 126 and 128 Slade Avenue, in an area of Pikesville zoned D.R. 16.

The petitioner is only required to meet the requirements of an office building in a D.R. 16 zone, and to show that the proposed building and site meets the requirements of Section 502.1 of the BCZR. It is manifestly unfair and improper to impose the R.O. zone open space requirement on this parcel since the Council may or may not choose to place this property and area in an R.O. zone on the 1980 comprehensive zoning maps.

It should also be noted that Bill 13-80 as enacted by the County Council does not do away with the special exception for offices in the D.R. 16 zone. Thus, it is quite likely that in view of the several apartment projects in the area, including 130 Slade, immediately to the west of the property, and the Warren Park Apartments to the west of the site on the opposite side of Slade Avenue, that the Council quite likely will leave Slade Avenue in a D.R. 16 zone. The office buildings at 116 Slade and the Pikesville Plaza Building both on the north side of Slade east of these properties are also not house conversions as envisioned in the R.O. Bill, and these existent buildings are two other good reasons, in addition to six-story 130 Slade immediately to the west, to leave Slade Avenue in a D.R. 16 zone.

For all of these reasons, and for the reasons brought out at the hearing, the petitioner respectfully submits that this office special exception request should be judged on the existent D.R. 16 zone, and not on the basis of a speculative and uncertain possible R.O. zone which may never come about due to the established high density apartment and full-sized office building character of the area.

Respectfully submitted,

Noiar, Plumhoff Williams 204 W. Pennsylvania Avenue Towson, Maryland 21204 823-7900

The proposed office building is considerably smaller and lower than now permitted in the Baltimore County Zoning Regulations. The proposed building is also much lower than 130 Slade immediately to the west and the Pikesville Plaza Building to the east. The building and grounds are also much smaller than the Pikesville Armory complex bordering the site on the north.

The proposed office building is in character with the existing office and apartment character of the neighborhood. There is B.L.-zoned land on the south side of Slade Avenue which contains a beauty shop opposite the site, and directly opposite there is the office, home and headquarters of a business.

The three old homes now on the subject site are in disrepair and they are not a credit to the neighborhood, as will be the 44,000 square foot office building. This new building will help to revitalize Pikesville, and it has the approval of the Greater Pikesville Revitalization Corporation (GPRC). New offices on this site will mean jobs and workers near public transportation, close to numerous residential areas in the Pikesville and northwest County area, and this building will continue a trend to the redevelopment of the Pikesville commercial and office areas.

Finally, it should be noted that petitioners would be able to comply with the twenty-five (25%) percent amenities open space request, but only at a loss of approximately 24 parking spaces, which may mean onstreet parking with "old" Slade Avenue ill suited to bear onstreet parking.

## ARGUMENT

In two recent unreported cases, the Circuit Court struck down the Planning Board's refusals to grant subdivision approval to two shopping malls as beyond its authority. In Masons v. Baltimore County, Misc. No. 6902/11/352, Daily Record, October 24, 1979, petitioner sought a writ of mandamus when the Board refused to grant approval of its preliminary subdivision plans which conformed to the regulations and criteria adopted by the Baltimore County Council. Judge Land cited Baltimore Planning Commission v. Victor Development, 261 Md. 387 (1971), which held that unless the submitted plan clearly fails to comply with the appropriate legislative regulation, the Board in question must grant its approval, citing Daley Construction v. Planning Board of Randolph, 340 Mass. 149, 163 NE2d 27 (1957), which held that the Board did not have the authority to reject the plan because the new development would have a detrimental effect on the area water supply, where the plan in all other respects conformed with the express regulations of the Board.

In Mason, the Court stated: "economic consideration is not set forth in Ordinances, and the Board lacks legal authority to consider it in approving preliminary subdivision plans. If they do so, they would be usurping the function of the legislative body, in this case the County Council. An administrative agency must act upon substantial evidence or such evidence as a reasonable man might accept as adequate."

In <u>Victor</u>, supra, at 391, the Court of Appeals stated

Municipal agencies can exercise only so much of the police power as may be expressly granted or necessarily implied. If the action taken exceeds that power, the action is void. Baltimore County v. Security Mortgage Corp., 227 Md. 234 (1961); State v. Mott, 61 Md. 297 (1884). The power delegated to the Commission to formulate and publish rules and regulations is not a blank check; it cannot make ad hoc decisions which deny to a citizen the right to use his land law-

These principles were also cited by the Circuit Court in Lyons Mill Partnership v. Baltimore County, Case No. 6877/11/327, Daily Record, November 15, 1979. This case involved the proposed "Promenade at Greenspring" shopping center, in which the issue was whether the Planning Board has the authority to deny approval of the preliminary subdivision plans, which were in conformity with all the rules, regulations and criteria set forth by the

LAW OFFICES NOLAN, PLUMHOFF & WILLIAMS

JUL 21 1990

LAW OFFICES

NOLAN, PLUMHOFF

& WILLIAMS

-2-

LAW OFFICES

NOLAN, PLUMHOFF

& WILLIAMS

TOWSON, MD.

Pursuant to the advertisement, posting of property, and public hearing on the x - Petition and it appearing that by reason of the requirements of Sectic 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the Special Exception for an office building and offices should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 23 nd day of April, 1980, that the herein Petition for Special Exception for an office building and offices, in accordance with the site plan prepared by Paul Lee Engineering, Inc., dated February 26, 1980, and marked Petitioner's Exhibit 2, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Approval of the aforementioned site plan by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.
- That said Special Exception be utilized within five years or become null and void.

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS CRDERED by the Zoning Commissioner of Baltimore County, this\_\_\_\_day DENIED and that the above described property or area be and the same is hereby continued as and

Zoning Commissioner of Baltimore County

I HEREBY CERTIFY that on this 25 day of 7, 1980, a copy of the aforegoing Memorandum of Law was mailed to Jack W. Hessian, III, Esquire, People's Counsel and Peter Max Zimmerman, Esquire, Deputy People's Counsel, both at Baltimore County Office Building, Towson, Maryland 21204.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

James D. Nolan, Esquize Nolan, Plumboff and Williams 204 West Pennsylvania Avenue Towson, Maryland 21204

of January, , 1930.

ces Mr. Paul Lee, Engineering 304 W. Pennsylvania Ave. Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this 18th

Zoning Commissioner

Petitioner 130 Slace Avenue.

Petitioner's Attorney James D. Nolan, Esq. Reviewed by: Julia B. Commodari Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 21, 1980

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Nicholas B. Commodari

RECEIVED FOR FILING

James D. Nolan, Esquire Nolan, Plumhoff and Williams 204 West Pennsylvania Avenue Towson, Maryland 21204

> RE: Item No. 106 Petitioner-130 Slade Avenue Special Exception Petition

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parites are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to raze the existing dwellings on this property, which is located on the north side of Slade Avenue west of Reisterstown Road in the 3rd Election District, and construct a two story office building, this Special E xception hearing is required. Adjacent properties are improved with dwellings and an apartment building to the east and west respectively, while dwellings exist directly opposite this site on Slade Avenue. As you are aware, the dwelling known as 125 Slade Avenue, is being proposed to be converted to office use and will be heard immediately preceeding the subject hearing.

In view of the fact that revised plans, reflecting the comments from the State Highway Administration, were submitted this petition was scheduled for a hearing. Particular attention should be afforded to the comments of the Department of Permits and Licenses and those of the Health Department.

Item No. 106 Special Exception Petition February 21, 1980

LAW OFFICES NOLAN, PLUMHOFF & WILLIAMS

TOWSON, MD.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not loss than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

NICHOLAS B. COMMODARI Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Mr. Paul Lee, Engineering 304 W. Pennsylvania Ave. Towson, Md. 21204



January 16, 1980

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #106 (1979-1980) Property Owner: 130 Slade Avenue Associates Partnership N/S Slade Ave. 758' W. Reisterstown Rd. Existing Zoning: DR 16 Proposed Zoning: Special Exception for offices (IDCA 79-44x).

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General:

Acres: 2.26 District: 3rd

Comments were supplied for this property for Project PIP 79-44X.

Highways:

Slade Avenue (Md. 890) and the proposed Slade Avenue Relocation are State Highway Administration projects; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

The existing portion of Slade Avenue is being considered for acceptance by Baltimore County for maintenance; therefore, in anticipation of County maintenance, this section of Slade Avenue is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including any necessary revertible easements for slopes, will be required in the future.

The construction and/or reconstruction of concrete sidewalks, curb and gutter, entrances, aprons, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #106 (1979-1980) Property Owner: 130 Slade Avenue Associates Partnership January 16, 1980

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especiall by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving the three dwellings on this overall site.

It is anticipated that no sanitary sewer connections will be available for projects within the Gwynns Falls drainage basin until the improvements at the Patapsco Waste Water Treatment Plant are completed, which is expected to be in June, 1981.

The Petitioner is responsible for the cost of capping and plugging any existing service connections not used to serve the proposed two-story office building.

Chief, Bureau of Engineering

END: EAM: FWR: SS

cc: J. Trenner, J. Somers, J. Meyers

O-SW Key Sheet NW 7 E Topo 26 NW 20 Pos. Sheet 78 Tax Map

Bureau of

Bureau of

MEMBELS

State Roads Commission Fire Prevention Health Department Project Planning Building Department Board of Education

Zoning Administration Industrial Development

JOHN D. SEYFFERT DIRECTOR

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #106, Zoning Advisory Committee Meeting, December 4, 1979, are as follows:

Property Owner: 130 Slade Avenue Associates Partnership Location: N/S Slade Avenue 758' W. Reisterstown Road Existing Zoning: D.R.16 Proposed Zoning: Special Exception for offices (IDCA 79-44-X) Acres: 2.26 District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Landscaping should be provided.

baltimore countu

TOWSON, MARYLAND 21204

Office of Planning and Zoning

Towson, Maryland 21204

Item No. 106

Gentlemen:

Baltimore County Office Building

Attention: Mr. William Hammond, Zoning Commissioner

Zoning Advisory Committee

Department of Public Works.

prior to occupancy.

( ) 6. Site plans are approved as drawn.

REVIEWER Cost True for The Line of Approved:

Special Inspection Division

( ) 3. The vehicle dead end condition shown at \_\_\_

Re: Property Owner 130 Slade Avenue Associates Partnership

Location: N/S Slade Ave. 758' W Reisterstown Rd.

Pursuant to your request, the referenced property has been surveyed by this

Bureau and the comments below marked with an "x" are applicable and required

( ) 1. Fire hydrants for the referenced property are required and shall be

located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the

Fire Prevention Code prior to occupancy or beginning of operations.

comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code" 1976 Edition

to be corrected or incorporated into the final plans for the property.

( ) 2. A second means of vehicle access is required for the site.

EXCEEDS the maximum allowed by the Fire Department.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

( ) 4. The site shall be made to comply with all applicable parts of the

(x) 5. The buildings and structures existing or proposed on the site shall

fire department

(301) 825-7310

Paul H. Reincke

Maryland Department of Transportation

this entrance or locate it to the east.

Mr. William E. Hammond

Zoning Commissioner

County Office Bldg.

Towson, Md. 21204

Dear Mr. Hammond:

James J. O'Donnell Secretary M. S. Caltrider

December 17. 1979

ITEM: 106.

79-44-X)

Very truly yours,

Access Permits,

Charles Lee, Chief

Bureau of Engineering

By: John E. Meyers

2squell-3 most

Acres: 2.26

District: 3rd

Re: Z.A.C. Meeting, Dec. 4, 1979

(Route 890) - 758' W

Reisterstown Rd.

Property Owner: 130 Slade

Location: N/S Slade Ave..

Existing Zoning: D.R. 16

Proposed Zoning: Special

Exception for offices (IDCA

Avenue Associates Partnership

department of traffic engineering TOWSON, MARYLAND 21204

STEPHEN E. COLLINS DIRECTOR

January 16, 1980

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Item No. Property Owner: Location: Existing Zoning: Proposed Zoning:

- ZAC - December 4, 1979 130 Slade Avenue Associates Partnership N/S Slade Ave. 758' W Reisterstown Rd. D.R. 16 Special Exception for offices (IDCA 79-44-X)

Acres: District:

Dear Mr. Hammond:

The proposed general office building can be expected to generate 270 trips per day. Reisterstown Road has capacity problems at this time. Slade Avenue was built for residential use and problems can be expected with the expansion of office buildings.

2.26

3rd

Michael S. Flanigan

Very truly yours,

Engineer Associate II

MSF/hmd

Very truly yours,

Planner III Project and Development Planning

December 19, 1979

Zoning Agenda: Meeting of 12/4/79

Fire Prevention Bureau

CL:JEM:vrd

My telephone number is (301) 383-4320

The proposed entrances must have a minimum width of 25'. A

The existing entrances must be indicated and must be noted to

The plan must be revised prior to a hearing date being assigned.

30' width is recommended. Stopping sight distance is less than desirable at the west entrance. The alternatives are to eliminate

be closed with standard curb and sidewalk sections. The distance

indicated. A standard concrete curb must be noted between the

parking areas and the proposed right of way line.

from the center of the highway to the roadside curb must be noted.

There is a minimum 60' right of way proposed that must be

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

baltimore county department of permits and licenses TOWSON, MARYLAND 21204 Ted Zaleski, Jr.

February 4, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building

Towson, Maryland 21204

Comments on Item # 106Zoning Advisory Committee Meeting, January 5, 1980

are as follows: Property Owner: 130 Slade Avenue Associates Partnership Location: NS Slade Ave. 758' W Reisterstown Road

Existing Zoning: D.R. 16 Proposed Zoning: Special Exception for offices (IDCA 79-44-X)

District:

3rd

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1978 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin. razing and miscellameous
- Permits shall be required.
- D. Building shall be upgraded to new use requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section
- I. No Comment.
- I J. Comment: All handicapped spaces shall be 12'-0 wide and ramped to side walk.
  An elevator is required by Handicapped Code of Maryland- Plan should indicate structure to be razed only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours, Charles E. Burnham, Chief

baltimore county department of permits and licenses TOWSON, MARYLAND 21204 (301) 494-3610

JOHN D. SEYFFERT

December 4, 1979

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Toning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #106 Zoning Advisory Committee Meeting, December 4, 1979 are as follows:

Property Owner: 130 Slade Avenue Associates Partnership N/S Slade Ave - 758' W Reisterstown Road Locations Existing Zoning: D.R. 16 Proposed Zoning: Special Exception for offices (IDCA 79-44-X)

District:

The items checked below are applicables

- XA. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- XB. A building permit shall be required before construction can begin.
- razing and other Xc. Additional Permits shall be required.
- D. Building shall be upgraded to new use requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- XF. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section
- I. No Comment.
- X J. Comment: An elevator to satisfy Handicapped Code criteria shall be provided.
  - NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

CEB: rri

DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE G COUNTY HEALTH OFFICER

BALTIMORE COUNTY DEPARTMENT OF HEALTH

TOWSON, MARYLAND 21204

January 16, 1930

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #106, Zoning Advisory Committee Meeting of December 4, 1979, are as follows:

> 130 Slade Avenue Associates Partnership Property Owner: N/S Slade Ave., 758' W Reisterstown Rd. Location: Existing Zoning: D.R. 16 Proposed Zoning: Special Exception for offices (IDCA 79-44-X)

Acres: District: Metropolitan water and sewer are available. Connection to the

public sewer is subject to the Gwynns Falls Sewer moratorium. Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain

requirements for such installation/s before work begins.

Very truly yours,

Ian J. Forrest, Director

BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth&

cc: Division of Air Pollution

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland -- 21204

Date: November 28, 1979

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: December 4, 1979

RE: Item No: 96, 105, 106, 107, 108, 109 Property Owner: Location: Present Zoning: Proposed Zoning:

> District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Um. a. Teleoral Wm. Nick Petrovich, Assistant

Very truly yours,

Department of Planning

130 5loke

CEB: rrj

WNP/bp

WILLIAM E HAMMOND ZONING COMMISSIONER

James D. Nolan, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Special Exception N/S of Slade Ave., 758' W of Reisterstown Rd. - 3rd Election District 130 Slade Avenue Associates Partnership - Petitioner NO. 80-169-X (Item No. 106)

April 23, 1980

Dear Mr. Nolan:

I have this date passed my Order in the above captioned matter in accordance with the attached.

> Very truly yours, YEAN M.H. JUNG Deputy Zoning Commissioner

> > 50

212

S.C. Shopping Center O.B. Office Building

B.H. Banquet Hall &

M.H. Motor Hotel W.H. Warehouse

Commissary

RTH RTH

Balto. City

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Balto. City

Balto. City-

JMHJ/mc

Attachments

cc: Mr. Albert Lettre 206 Slade Avenue Pikesville, Maryland 21208

Stephen Marc Apts.

Pikeny Court Apts.

Hilltop Apartments

Strathmore Apartments

Jamestowne Apartments

Purnell Village Apts.

Hazelcrest Apartments

HR High Rise Apartments

RTH Rental Townhouse

S-F Single-Family GA Garden Apartments

TH Townhouse -

Williston Apartments

Greenspring Apts.

Warren Park Apts.

Eeraldry Square

Kingswood Common

Kingswood Common

Horizon House

John W. Hessian, III, Esquire People's Counsel

JOHN W. ERDMAN

TRAFFIC ENGINEER

In November of 1968, Mr. Erdman was appointed an Assistant Commissioner in the Department of Transit and Traffic of the City of Baltimore. While functions related to the administration of the Department are a major responsibility, Mr. Erdman is primarily responsible for transportation planning and expressway operations within the City of Baltimore. Mr. Erdman also serves as the Chief of the Bureau of Traffic of the Interstate Division for Baltimore City.

Before joining the staff of the Department of Transit and Traffic, Mr. Erdman was employed by the consulting firm of Edwards and Kelcey, the Department of Transit and Traffic of the City of Baltimore, the Baltimore County Department of Traffic Engineering, and the consulting firm of J. E. Greiner and Company. Mr. Erdman undertook assignments as Project Engineer in the Minneapolis office and Newark headquarters office of Edwards and Kelcey.

Mr. Erdman graduated from Johns Hopkins University with a degree in Civil Engineering. He has also completed traffic engineering courses at Northwestern University and the University of Maryland. He is a member of the Institute of Traffic Engineers, the International Municipal Signal Association, the American Society of Civil Engineers, the National Society of Professional Engineers, the Maryland Society of Professional Engineers, the American Public Works Association, the American Poad Builders Association, the Maryland Academy of Sciences, and is a registered Professional Engineer in the State of Maryland.

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

то	Mr. W. E. Hammond Zoning Commissioner	Date_February 27, 1980
FROM	John D. Seyffert, Director Office of Planning and Zoning	

Petition No. 80-169-X Item 106

Petition for Special Exception North side of Slade Avenue, 758 feet West of Reisterstown Road Petitioner 130 Slade Avenue Associates Partnerships

Third District

HEARING: Thursday, February 28, 1980 (2:15 P.M.)

As of result of a meeting between the contract purchasers of this site and the planning staff, the petitioner submitted to this office a revised plat dated February 26, 1980. This proposal, with the reduction in amount of paved area and ground floor building coverage, satisfies the planning staff as to its concerns expressed in an earlier comment dated February 12, 1980. It is the staff's understanding that the petitioner will submit this revised plat at the hearing and provide a suitable landscaping plan that would satisfy the Division of Current Planning and Development.

JDS:JGH:ab

**TEVINDALE HEBREW GERIATRIC CENTER AND HOSPITAL** Belvedere & Greenspring Avenues Baltimore, Maryland 21215 301-466-8700

February 23, 1980

Attn: Hearing Officer Zoning Department Baltimore County

Dear Sir:

The Levindale Hebrew Geriatric Center and Hospital operates a group living arrangement for 23 patients, known as the Shirley and Philip Hurwitz House, located at 1311 and 133 Slade Avenue, Baltimore County, MD.

We were advised of a zoning exception being sought to construct an office building on the north side of the 100 block of Slade Avenue.

Please be advised that the construction of this office building would offer nothing adverse to the interest of the Shirley and Philip Hurwitz House. The office building would afford a better appearance than the three dilapidated houses currently there.

> Louis M. Balk, Administrator Shirley and Philip Hurwitz House

LMB/sk

14-

Pet Eph II

GORDON J. SINGATLIK Program. ROBERT'S GINERIJAG ist vica Program. GUZERT SANCLER vice Program. SANCER LIWILE VI. For tent (ICNAS ERCIDIS Tronger), DR ARFHUR BUSHEL AS CONTINUA WIT LEAR MILLIAM & PARKER OFFICE, STANFORD A ALLINERS, JOHN DOMEST. THE REPORT OF A SECURITY OF PERSONAL METAL WHICH BOTH A PROPERTY OF A PR

STATEMENT OF ZONING COMMISSIONER OF PALTIMORE COUNTY

Samuel G. Gorn, General Partner of 124 Slade Associates, has been in the building business since 1937. His activities in Baltimore County extend from that time.

Mr. Gorn is a graduate of Johns Hopkins University and has been involved in all phases of the real estate business and the construction business since graduation.

Most of Mr. Gorn's activities have been in Baltimore City and Baltimore County.

Mr. Gorn has been President of the Baltimore County Chapter of the Home Builders Association and has served on the Board since 1950. Mr. Gorn was also the President of the Apartment House Association before its merger with the Home Builders Association.

The activities of Mr. Gorn extend through the construction of single family residences, commercial properties, shopping centers, office buildings and several thousand apartments in the Baltimore metropolitan area. Enclosed you will find a list of a portion of the projects in which Mr. Gorn has been successfully involved.

Mr. Gorn has appeared on many occasions for the Zoning Boards of several counties, including Baltimore County, and has been recognized as a real estate expert.

Paul Loo. P.E.

Paul Lee Engineering Inc. 304 W. Pennsylvania Ave. Towson, Maryland 21.204 821-5941

DESCRIPTION

THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND. This Description is for a Special Exception in a DR 16 Zone

Beginning for the same at a point on the North side of Slade Avenue, said point being located westerly 758 feet + from the center line of Reisterstown Road; thence binding on the north side of Slade Avenue (1) S 60 degrees 05 minutes W 269.50 feet +, thence leaving said north side of Slade Avenue (2) N 30 degrees 30 minutes W 363.92 feet to intersect the existing DR 15 and DR 5.5 zoning line as shown on Baltimore County Zoning Map Nw 7 E; thence binding on said zoning line (3) N 59 degrees 30 minutes E 269.50 feet +, thence leaving said zoning line (4) S 30 degrees 30 minutes E 366.83 feet + to the place of beginning.

Containing 2.26 acres of land, more or less, and known as 124, 126 and 128 Slade Avenue.



for Office Use.

124, 126, AND 128 SLADE AVENUE